GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps Department – Allegation of collection of bribes / mamools from the public against Sri Shaik Mastanvali, Senior Assistant, Sub Registrar Office, Mangalagiri, Guntur District among certain others – Surprise check conducted on 27-4-2016 - Departmental proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 - Article of Charges - Issued.

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REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.448 **Dated:09.04.2018.**

Read the following:

1. DSP, ACB, Guntur District vide C.No.04/SC-ACB-GNT/2016, dt:28-4-2017.
2. DG, ACB Lr.C.No.50/DES-VGT/2016-S.17, dt:31-1-2018.
3. DG, ACB Lr.C.No.50/DES-VGT/2016-S.17, dt:13-3-2018.
4. G.O.Rt.No.446, Revenue (Vig-II) Dept., dt:09-04-2018.

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ORDER :

It is proposed to hold an enquiry against Sri Shaik Mastanvali, Senior Assistant, Sub Registrar Office, Mangalagiri, Guntur District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I). A Statement of imputations of misconduct / misbehaviour (Annexure-II). A list of documents by which and a list of witnesses by whom the proposed Articles of Charge are sustained (Annexure-III and IV).

3. Sri Shaik Mastanvali, Senior Assistant, Sub Registrar Office, Mangalagiri, Guntur District is directed to submit his Written Statement of Defense within 15 days of the receipt of this order and also to state whether he desires to be heard in person.

4. He is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore specifically admit or deny each article of charge.

5. Sri Shaik Mastanvali, Senior Assistant, Sub Registrar Office, Mangalagiri, Guntur District is further informed that if he does not submit his Written Statement of Defense on or before the date specified in para-3 above, or does not appear in person before the inquiry authority or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte.

6. Attention of Sri Shaik Mastanvali, Senior Assistant, Sub Registrar Office, Mangalagiri, Guntur District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance

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and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Service (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
The Individual (***through*** *the Deputy Inspector General, Registration & Stamps, Guntur with a request to serve the G.O. to the individual and furnish the served copy with signature and dated acknowledgement for record*)
The Deputy Inspector General, Registration & Stamps, Guntur.
Copy to:
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P.Secretariat, Velagapudi, Guntur District.
The Director General, Anti Corruption Bureau, Andhra Pradesh, Pandit Nehur Bus Station, NTR Administrative Block, IInd Floor, Vijayawada.
The Director & Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI SHAIK MASTANVALI S/o MOHAMMAD KHASIM, 42 YEARS, SENIOR ASSISTANT, SUB-REGISTRAR OFFICE, MANGALAGIRI, GUNTUR DISTRICT. (ON DEPUTATION).

That Sri Shaik Mastanvali S/o Mohammad Khasim, 42 yrs has joined in Government Service on 03-07-2000 as Junior Assistant and worked in the same capacity from 03-07-2000 to 13-07-2000 at Sub-Registrar Office, Repalle. Later he was transferred to various places and worked in the same capacity i.e., at Sub-Registrar Office, Tenali West from 14-07-2000 to 12-11-2003, at Sub-Registrar Office, Prathipadu from 13-11-2003 to 27-09-2007, at Registrar Office, Guntur from 27-09-2007 to 08-10-2010. Subsequently he was promoted as Senior Assistant and worked in the same capacity at Sub-Registrar Office, Koritepadu from 08-10-2010 to 27-06-2013. Later he was transferred to Registrar Office, Guntur and working in the same capacity since 27-06-2013. While working as Senior Assistant at Registrar Office, Guntur he was deputed to O/o. Sub-Registrar, Mangalagiri on 09-02-2016. While working as Senior Assistant at Sub-Registrar Office, Mangalagiri between 09-02-2016 and 27-04-2016, he committed grave misconduct in as much as :

CHARGE:

That on 27.04.2016, he was found in possession of an amount of Rs.13,320/- was found in the dust bin at his seat and he could not satisfactory account for the said amount.

Thus, Sri Shaik Mastanvali S/o Mohammad Khasim, Senior Assistant, Sub-Registrar Office, Mangalagiri, Guntur District by his above-mentioned acts, has exhibited lack of integrity, devotion to duty and conducts unbecoming Member of State Government Service and thereby violated Rule 9(8A) r/w 3 (1) (2) of Andhra Pradesh Civil Services (conduct) Rules 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OF MISBEHAVOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI SHAIK MASTANVALI S/o MOHAMMAD KHASIM, 42 YEARS, SENIOR ASSISTANT, SUB-REGISTRAR OFFICE, MANGALAGIRI, GUNTUR DISTRICT. (ON DEPUTATION).

That Sri Shaik Mastanvali S/o Mohammad Khasim, 42 yrs, worked as Senior Assistant, Sub-Registrar Office, Koritepadu is a native of Guntur City. His date of birth is 22-04-1974 and he joined in Government Service on 03-07-2000 as Junior Assistant and worked in the same capacity from 03-07-2000 to 13-07-2000 at Sub-Registrar Office, Repalle. Later he was transferred to various places and worked in the same capacity i.e., at Sub-Registrar Office, Tenali West from 14-07-2000 to 12-11-2003, at Sub-Registrar Office, Prathipadu from 13-11-2003 to 27-09-2007, at Registrar Office, Guntur from 27-09-2007 to 08-10-2010. Subsequently he was promoted as Senior Assistant and worked in the same capacity at Sub-Registrar Office, Koritepadu from 08-10-2010 to 27-06-2013. Later he was transferred to Registrar Office, Guntur and working in the same capacity since 27-06-2013. While working as Senior Assistant at Registrar Office, Guntur he was deputed to O/o. Sub-Registrar, Mangalagiri on 09-02-2016. While working as Senior Assistant at Sub-Registrar Office, Mangalagiri between 09-02-2016 and 27-04-2016, he is drawing basic pay of Rs.29,760/- in the time scale pay of Rs.22460 - 66330/-. His date of attaining superannuation is 30-04-2034. He is here in after referred to as Government Servant (GS-2).

ARTICLES OF CHARGE

That on 27.04.2016, he was found in possession of an amount of Rs.13,320/- found in the dust bin at his seat and he could not properly account for the said amount.

FACTS AND EVIDENCE:

Brief facts are that on credible information that the officials of the Registrar Office, Stamps & Registration Department, Mangalagiri, Guntur District have been collecting bribes/mamools in large quantity from the public who approaches them for their official favours like registration of various properties, Encumbrance Certificates etc., through some private persons engaged by them and from document writers as well as their assistants, the Deputy Superintendent of Police, Anti Corruption Bureau, Guntur organized a Surprise Check in the said office along with his staff in the presence of two mediators on 27-04-2016 between 04.45 pm and 11.30 pm.

During the said surprise check some persons were found in the office premises out of which 7 persons are as General public who came for registration of their documents, 11 persons are document writers/Assistants document writers, 1 person is a private person and 8 persons are as staff of Sub-Registrar Office including the Government Servant. On the instructions of the Deputy Superintendent of Police, Sri T.Narasimha Reddy, Inspector, Anti Corruption Bureau searched the document writers and found Rs.3,000/- with Sri Gade Annapurna Reddy, Rs.8,500/- with Sri Donepudi Mohana Brahma Kanaka Ratnakar Rao, Rs.360/- with Sri Toleti Praveen Kumar, Rs.6,000/- with Sri Vangara Sahadevudu, Rs.5,000/- with Sri Donepudi Samba Sudhakar, Rs.4,970/- with Sri Soma Amaresh, Rs.170/- with Sri Mondithokala Vinod Kumar, Rs.180/- with Sri Kolluru Sai, and Rs.600/- with Sri Rangisetty Sravan Kumar. The above total amount of Rs.28,780/- was seized from their possession suspecting that they are the mamools collected from the claimants in order to give to the staff of Registrar Office, Stamps & Registration Department, Mangalagiri and examined them.

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The surprise check party noticed one private person viz., Sri Gurazala Ram babu in the office other than regular staff. On examination of the Deputy Superintendent of Police, the above person stated that he was engaged by the staff of Sub Registrar Office to collect mamools from the document writers; for which he is being paid Rs.500/- as daily wage besides providing food, to him.

There after the surprise check party conducted searches in the entire premises of the Registrar office. During the said checking an amount of Rs. 13,320/- was found in the dust bin at the seat of the Government Servant, when the Deputy Superintendent of Police questioned, the Government Servant could not account for the said amount. Hence, the Deputy Superintendent of Police seized the said amount.

On examination, the District Registrar Sri Kavadi Srinivasa Rao S/o. Nagaiah (late), 59 yrs, stated about procedure, rules and regulations existed in the Department. He also stated that the presence of any mediator or document writer or their assistant inside the Registrar office is not permitted at the time of registrations. The parties who come for the registration of documents, encumbrance certificates, certified copies and people approach for any other information are only allowed to be present inside the office of Sub Registrar. He specifically stated that licensing system of document writers is not there in the department. Hence the presence of document writers and their assistants noted above, is irregular on the part of the Sub-Registrar and other staff and it violation of existed rules.

The District Registrar further added that any amount other than declared in the personal cash register is found with any of the staff in the office, the government makes the Sub-Registrar as responsible/accountable. Hence the presence of excess amounts with the temporary I/c Sub Registrar Office and their staff either at their seats or at their nearby dust bins, they themselves are personally responsible.

The enquiry reveals that the Government Servant has committed an irregularity has being in possession of excess/ unaccountable cash of Rs.13,320/- which was found in the dust bin at his seat, which was not entered in the Personal Cash Register and alleged to have been collected bribe amounts from the public who came for registrations.

Thus, the said Sri Shaik Mastanvali worked as Senior Assistant, Sub-Registrar Office, Mangalagiri by his above mentioned acts, he exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service by contravened Rule 9(8A) r/w 3(1) (2) of Andhra Pradesh Civil Services (conduct) Rules 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action for major Penalty.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI SHAIK MASTANVALI S/o MOHAMMAD KHASIM, 42 YEARS, SENIOR ASSISTANT, SUB-REGISTRAR OFFICE, MANGALAGIRI, GUNTUR DISTRICT. (ON DEPUTATION).

LIST OF DOCUMENTS

1) Mediator Report (Surprise Check Proceedings) drafted in the office of Sub-Registrar, Stamps & Registration Department, Mangalagiri, Guntur District on 27-04-2016.

2) Copy of relevant pages of Account-A Register... 2 sheets.

3) Copy of relevant pages of Thumb Impression Register... 11 sheets.

4) Copy of relevant pages of Account-G Register... 3 sheets.

5) Attendance Register O/o Sub-Registrar, Mangalagiri.

6) Copy of relevant pages of Daily Challan Register... 3 sheets.

7) Copies of Proceedings No.A1/1047/2015, dt.30-01-2016 of Deputy Inspector General, Registration & Stamps, Guntur and Proceedings No.E1/370/2016, dt.: 09.02.2016 of District Registrar, Guntur.

8) Letter No. E1/2161/2016 dt.30.08.2016 of Sri K.Srinivasa Rao, District Registrar, Guntur.

9) Reports of Dr. V. Pushpa Latha, Deputy Inspector General, Registration and Stamps, Guntur through her covering letter No. Supdt./1309/2016 dated 23.11.2016, such as GO Ms. No. 200 General Administration(Services-C) Dept., dt.26.3.2007; G.O.Ms. No. 149 Finance (SMPC) Department, dated 28-06-2007; Memo No. G1/10455/2005 dated 26-09-2007 of the Commissioner and Inspector General of Registration and Stamps, Andhra Pradesh, Hyderabad; Section 51 of Registration Act; circular memo No. G1/1145/2013 dt. 10.08.2015 of the Director and Inspector General of Registration and Stamps, Andhra Pradesh, Hyderabad and Andhra Pradesh Gazette; regarding introduction of `anywhere registration',

10) If any document found necessary they will be produced at the time of enquiry.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

ANNEXURE — IV

LIST OF WITNESSES BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI SHAIK MASTANVALI, S/o MOHAMMAD KHASIM, 42 YEARS, SENIOR ASSISTANT, SUB-REGISTRAR OFFICE, MANGALAGIRI, GUNTUR DISTRICT. (ON DEPUTATION).

LIST OF WITNESSES

1) Sri Behara Narasimha Rao S/o. Gopala Rao, 62 yrs, Document writer R/o. D.No.1- 497-A, Kothapeta, Mangalaigiri town.

2) Sri Gade Annapurna Reddy S/o. Mahananda Reddy, 34 yrs, Document writer, R/o. D.No.50-30-123/26, RTC Colony, Guntur.

3) Sri Rayudu Dhanunjaya Rao S/o. Srihari Rao, 40 yrs, Document writer, R/o. D.No.7- 11, Main road, Tadepalli village, Guntur District.

4) Sri Donepudi Mohana Brahma Kanaka Ratnakar Rao S/o. Chandra sekhar Rao, 36 yrs, Document writer, R/o. 1-172, Kothapeta, Mangalagiri town.

5) Sri Toleti Praveen Kumar S/o. Ranga Rao; 43 yrs, Document writer, R/o. D.No.3-114, Sai Nilayam, Yanamadalavari street, Mangalagiri town.

6) Sri Vangara Sahadevudu S/o. Nagabhushanam (late), 55 yrs, Document writer, R/o. D.No.8-158, Karivepaku vari street, Mangalagiri town.

7) Sri Donepudi Samba Sudhakar S/o. Chandra Sekhar Rao, 35 yrs, document writer, R/o.1-172, Kothapeta, Mangalagiri town.

8) Sri Soma Amaresh S/o. Sambasiva Rao, 33 yrs, Document writer, R/o. D.No.15-11- 133, 1st lane, Raghava nagar, near Manipuram bridge, Guntur town.

9) Sri Mondithokala Vinod Kumar S/o. Suvarna Raju, 28 yrs, Asst. to document writer Sri P.Gopala Rao, R/o. D.No.5-137C, Mylar nagar, Mangalagiri town.

10) Sri Kolluru Sai S/o. Gopi, 20 yrs, Asst. to document writer Pagidi Dasu, R/o. D.No.6- 12, Koneru street, Mangalagiri town.

11) Sri Rangisetty Sravan Kumar S/o. Narasimha Rao, 23 yrs, Asst. to document writer Smt. Uyyuru Bhavani, R/o. D.No.1-155-A, Kothapeta, Mangalagiri town.

12) Sri Gurazala Ram babu S/o Prasad, 23 yrs, private person, R/o. Anthuvari street, Chebrolu (V) & (M), Guntur District.

13) Sri Kavadi Srinivasa Rao, District Registrar, Stamps & Registration Department, Guntur.

14) Dr. V. Pushpa Latha, Deputy Inspector General, Registration and Stamps, Guntur.

15) Sri Rachapudi Peda Guravaiah S/o. China Guravaiah (late), 58 yrs, Dy. Executive Engineer, AP Housing Corporation Ltd., Guntur East Sub-Division, Guntur, R/o. Flat No.512, White House Apartment, 6th lane, Krishna nagar, Guntur — 6. (Mediator-I)

16) Sri Taduvai Rama Rao S/o. Janakiramaiah (late), 53 yrs, Sr. Asst., O/o. Executive Engineer, Guntur Division, AP State Housing Corporation Ltd., Guntur, R/o. 2/17, Brodipeta, Sarada Nilayam, Flat No.B1, Guntur. (Mediator-II)

17) Sri T. Narasimha Reddy, District Inspector, ACB, Guntur.

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18) Sri Ch.D.Santho, Dy. Supdt. Of Police, Anti-Corruption Bureau, Guntur.

19) If any witness found necessary they will be produced at the time of enquiry.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER